

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00029

Northington Butler,
Plaintiff,

v.

Warden Lonnie Townsend,
Defendant.

ORDER

Plaintiff Northington Butler, an inmate proceeding pro se, filed a petition for a writ of habeas corpus. *See* Doc. 3. The petition contained a claim about prison conditions, which is unrelated to the claim concerning his underlying conviction and sentence. *Id.* The court severed his prison-conditions claim into this civil-rights case under 42 U.S.C. § 1983 and referred the case to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b).

The magistrate judge issued a report recommending that the plaintiff be denied leave to proceed without prepayment and that this case be dismissed without prejudice due to the plaintiff's failure to comply with the court's orders to satisfy the filing fee requirement and to file an amended complaint. Doc. 8. No objections were filed.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The plaintiff is denied leave to proceed without prepayment, and this case is dismissed without prejudice.

So ordered by the court on May 24, 2022.



J. CAMPBELL BARKER
United States District Judge